GOVERNMENT OF INDIA
LAW , JUSTICE AND COMPANY AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:7680
ANSWERED ON:16.05.2002
DESIGNATED SPECIAL COURT
P.D. ELANGOVAN

Will the Minister of LAW , JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the State Governments have to get permission from the Ministry of Law for setting up of Designated Special Courts;

(b) if so, the norms and conditions required for initiating trials in Designated Special Courts;

(c) whether the Government of Tamilnadu has got prior permission from the Union Government to initiate trial and prosecute the then ex-chief Minister of Tamilnadu; and

(d) if so, the expenditure incurred for the entire trial process and prosecution in various cases pertaining to the then ex-Chief Minister?

Answer

MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI ARUN JAITLEY)

(a) & (b) Special Courts are set up under section 11 of the Code of Criminal Procedure. According to the Proviso to section 11(1) of Cr.P.C., the State Government may `after consultation with the High Court, establish, for any local area, one or more Special Courts of Judicial Magistrates of the first class or of the second class to try any particular case or particular class of cases`.

(c) & (d) The matter relates to State Government of Tamil Nadu.